

## **COUNCIL - 24 April 2001**

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Minutes of the meeting of the **Transportation & Environmental Services Committee** held on **22 March 2001** when there were present:

Cllr D M Ford  
Cllr Mrs J E Ford

Chairman  
Vice-Chairman

Cllr R Adams  
Cllr R Allen  
Cllr R A Amner  
Cllr Mrs J M Giles  
Cllr Mrs H L A Glynn  
Cllr J E Grey  
Cllr A Hosking  
Cllr C C Langlands

Cllr V H Leach  
Cllr R A Pearson  
Cllr S P Smith  
Cllr M G B Starke  
Cllr P D Stebbing  
Cllr Mrs M J Webster  
Cllr D A Weir

### **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllrs K Gibbs, D Helson, Mrs L I V Phillips and D Downing, Essex Police Traffic Management Unit

### **SUBSTITUTES**

Cllr Mrs J Helson

### **VISITING MEMBERS**

Cllrs G Fox and Mrs M A Weir

### **DISTRICT OFFICERS PRESENT**

R Crofts	Corporate Director (Finance & External Services)
J Bourne	Leisure & Contracts Manager
S J Clarkson	Head of Revenue and Housing Management
M T Goodman	Solicitor
S Scrutton	Head of Planning Services
G P Woolhouse	Head of Housing, Health & Community Care
Mrs M Martin	Committee Administrator

### **COUNTY OFFICERS PRESENT**

N McCullagh	Area Manager, Transportation & Operational Services
Miss J Martyn	District Manager, Transportation & Operational Services

### **104 DECLARATION OF INTEREST**

Councillor Mrs J M Giles declared a non-pecuniary interest in the item on Civic Amenity Sites by virtue of residence in Castle Road, Rayleigh.

Councillor M G B Starke declared an interest in the item 'Rochford Town Centre Enhancement Scheme' by virtue of the fact that his wife owns a property in Rochford Town Centre.

Councillor V H Leach declared an interest in the item 'Latest Review of Locally Determined Programme 2001/2001' and 'Presentation of Locally Determined Programme 2001/2002' by virtue of his Membership of Hawkwell Parish Council.

### 105 MINUTES

The Minutes of the meeting of 25 January 2001 were agreed as a true record with the exception of the following corrections:-

Minute 26 - Traffic Surveys

the inclusion of the following:- "That, apart from some minor works to be carried out in Glasseys Lane from the Repairs & Maintenance Budget, no recommendations ...."

Minute 28 - Car Parking at the Civic Suite

replace the word "until" with "in"

Minute 31 - Monitoring of Mechanical Sweeper

delete the words "subject to available time"

### 106 PUBLIC QUESTION TIME

The Committee considered the report of the Head of Administrative and Member Services setting out a question which had been received by the Proper Officer pursuant to Standing Order 10(2).

The following answer was read out by the Chairman:-

- 1(a) Council tax is not an individual charge for services. It is a general tax which equates to a part financial contribution towards the cost of all of the services provided by the Council. It is not hypothecated in any way, therefore, all tax payers make a contribution based upon the value of their living accommodation, not on whether or not they benefit from any of the services provided.

It is not illegal for an authority to provide different types of refuse collection service throughout the District.

- 1(b) The selection of the rounds will be discussed later in the meeting at Agenda item 25.

- 2(a) The Council wished to carry out a sample survey which would give a statistically robust indication of the level of public support for recycling in the District.

The views expressed by the public were to be taken into account in the decision making process on whether or not to continue with recycling and whether or not to expand the service.

- 2(b) The cost of the survey, including postage, was £7,716. Officer time was involved in constructing the questionnaire. Actual time allocations are not available, but were met from within our existing staffing resource.
- 2(c) All Councillors were given the opportunity to comment on the draft. One Councillor responded and, as a result, some minor changes were agreed.
- 2(d) These were the two options decided upon by Council. Budget provision had already been tentatively agreed for an expansion to 5,000 properties. Members wished the public to be aware of the implications of extending the scheme to the whole of the District.
- 2(e) As this is a new service, any impact on the level of council tax would be additional.

### **107 OUTSTANDING ISSUES**

The Committee noted the progress of the outstanding issues, together with the following update.

#### **Land at Golden Cross Parade**

The Solicitor informed Members that the use of Health and Safety legislation would not be appropriate to remedy the problem of the uneven ground conditions at this site.

An exempt report from the Head of Legal Services would be going to the Corporate Resources Sub-Committee meeting of 3 April 2001. (HLS)

### **108 REPORT OF URGENT ACTION**

The Committee received and noted the reports of the Head of Planning Services which informed Members of the urgent action taken under the procedure agreed by Council on 25 July 2000 (Minute 254/00) relating to the following:-

- (i) Heritage Environment Regeneration Scheme
- (ii) Planning Policy Guidance Note 25 - Consultation on Revised Text

### **109 MINUTES OF SUB-COMMITTEES**

The Committee received the Minutes of the following Sub-Committees and considered the recommendations contained therein:-

### **(1) Planning Policy Sub-Committee - 1 March 2001**

#### **Minute 106 - Urban Capacity Study**

##### **Resolved**

- (1) That the results of the Urban Capacity Study together with the previously published Housing Needs Study be taken into account in the preparation of the housing policies and proposals in the Rochford District Replacement Local Plan.
- (2) That a formal consultation on the Study findings be undertaken with the Joint Structure Planning Authorities and reported to a future meeting of the Sub-Committee.
- (3) That a user friendly summary of the Study be prepared and published. (HPS)

#### **Minute 107 - Conservation Area Boundary Review**

##### **Resolved**

- (1) That, subject to the additional recommendations above, the amendments to the conservation area boundaries be agreed and that arrangements be made to advertise the changes, as outlined in the report.
- (2) That revised Conservation Area maps be included in the Replacement Rochford District Local Plan. (HPS)

#### **Minute 108 - Vehicle Parking Standards - Consultation Draft - January 2001**

##### **Resolved**

- (1) That the parking provision for new residential development schemes be retained as a minimum standard.
- (2) That, with the exception of (1) above, the EPOA be advised that Rochford District Council supports the proposed vehicle parking standards and intends to adopt them as Supplementary Planning Guidance, subject to the inclusion of a suitable standard for sheltered housing for the elderly. (HPS)

#### **Minute 109 - PPG25 Flood Risk - Consultation on Revised Text**

##### **Resolved**

That this report forms the basis of the Council's response to the revised consultation paper on PPG25 - Development and Flood Risk. (HPS)

**(2) Environmental Health Sub-Committee - 6 March 2001**

**Minute 104 - Recommendations from the Stambridge Sewage Treatment Works Working Group**

**Resolved**

- (1) That whilst it is noted that sludge is currently being deposited in landfill, confirmation is sought from Anglian Water that this is only a temporary process and of the intended use for the sludge derived at these works.
- (2) That a final meeting of the Stambridge Sewage Treatment Works Working Group be held as early as practicable after the next meeting of the Stambridge Sewage Treatment Works Liaison Committee to confirm the completion of the clearance process at the site. (HHHCC)

**Minute 105 - Review of the Implementation of the Noise Act 1996 - Consultation**

**Resolved**

That, subject to Government funding being made available to cover the costs involved in implementing services that are provided in response to standards set by Government through the best value process, the option of no legislative changed be recommended. (HHHCC)

**(3) Transportation Sub-Committee - 7 March 2001**

**Minute 160 - Taxi Licensing Working Group**

**Resolved**

That a Taxi Licensing Working Group be established, as detailed.

**Minute 161 - Road Traffic Penalties**

**(Note:** For the purpose of clarification, the Committee noted that only the three items relating to the Taxi Trade would be deferred for discussion by the Taxi Licensing Working Group)

**Resolved**

That, subject to the comments listed above, an appropriate response be made to the consultation document on Road Traffic Penalties. (HRHM)

**Minute 162 - Decriminalised Parking Enforcement (DPE) - an Update**

**Resolved**

- (1) That the County Council be informed that, in principle, Rochford would wish to act as an agency authority for DPE.
- (2) That following discussions with Essex County Council a report on staffing levels and patrol coverage be made to a future meeting of the Transportation Sub-Committee. (HRHM)

### **Minute 163 - Mandatory Concessionary Fares Scheme**

#### **Resolved**

- (1) That the Council formally adopts the provisions of the Essex Countywide Concessionary Travel Scheme, devised under the provisions of the Transport Act 1985.
- (2) That the Head of Revenue and Housing Management be authorised to sign up to the Scheme on behalf of the Council.
- (3) That the fee for the issue of a replacement half-fare concessionary travel pass be £4 and that this be reviewed annually with other fees and charges.
- (4) That the Scheme be widely publicised within the District.
- (5) That the decision taken at Council on 19 December 2000 be re-affirmed. (HRHM)

### **Minute 164 - Report of Consultation with Registered Users of Dial-a-Ride and Options for Service Revision**

**(Note:** On a Motion moved by Cllr Mrs H L A Glynn and seconded by Cllr Mrs J Helson, Members agreed that the Head of Revenue and Housing Management be requested to invite a representative from the Essex Disabled Person's Association to a meeting with Members and officers of Castle Point Borough Council to explore the joint provision of a substitute Dial - a - Ride service and to report back to Council.)

#### **Resolved**

That this item be referred to Council on 24 April 2001. (HRHM)

### **110 LATEST REVIEW OF LOCALLY DETERMINED PROGRAMME 2000/2001 AND PRESENTATION OF LOCALLY DETERMINED PROGRAMME 2001/2002**

The Committee considered the report of the Area Manager, County Transportation & Operational Services which informed Members of progress on the locally determined programme 2000/2001 and requested approval of the locally determined programme for the financial year 2001/2002. Members

were asked to consider whether they wished to proceed with the compulsory purchase process for a footway in Great Stambridge.

In response to Member requests, the Area Highways agreed that the following could be considered

- Lambourne Hall Road - extend 30 mph limit along the road. Area Highways Manager to investigate if this is possible under the speed reduction policy.
- a roundabout at junction of Sutton Road with Shopland Road is in the capital programme bid and the result for 2000/2001 should be known soon.
- a contribution to the improvements required at Old School Meadow to bring it up to adoptable standards will go back in the 2000/01 Locally Determined Programme.
- it is not possible to estimate cost of compulsory purchase process for a footway in Great Stambridge, which would be expensive if protracted. This has been ranked in accordance with the County's Pedestrian and Mobility Policy. Members noted that once the compulsory purchase process begins, the financial consequences of the process must be met.
- Page 11.3 - Rectory Road Hawkwell; this refers to the area from the railway bridge to the Ashingdon Road
- Traffic signals at the bridge at Battlesbridge are not seen as a priority at this time.
- 'Kill Your Speed' signs owned by Hawkwell

On a Motion moved by Cllr Mrs H L A Glynn and seconded by Cllr V H Leach it was agreed that Hall Road should change places with White Hart Lane in the listed order for footway improvements.

### **Recommended**

- (1) That, subject to the amendment above, the proposed programme be adopted as the Locally Determined Programme for 2001/2002.
- (2) That a report on the consultation and subsequent ranking process should be discussed by the Transportation Sub-Committee.
- (3) That authority be sought from Essex County Council for a compulsory purchase order to acquire land for construction of the footway in Stambridge Road, Great Stambridge. (Area Highways)

## **111 ROAD SAFETY - SCHOOL/PEDESTRIAN CROSSINGS**

The Committee considered the report of the Area Manager, Transportation & Operational Services, Essex County Council which suggested ways in which the budget of £30,000 which had been allocated by the Finance & General Purposes Committee could effectively be spent on Road Safety - Schools and Pedestrian Crossings.

Members noted that the high cost of the provision of a Toucan crossing was due to the technology involved.

On a Motion moved by Cllr V H Leach and seconded by Cllr R S Allen, it was agreed that it would be more beneficial to consider using this money for the school at Barling where no crossing currently exists. The Area Manager, Essex County Council, agreed to investigate and report back to a future meeting of the Transportation Sub-Committee.

On a Motion moved by Cllr Mrs J Helson and seconded by Cllr Mrs H L A Glynn it was recommended that the provision of a crossing outside Love Lane School, Rayleigh also be investigated.

### **Resolved**

- (1) That £3,800 of the £30,000 budget allocated to Road Safety - School/Pedestrian crossings be allocated to the provision of flashing amber warning signs outside Canewdon School.
- (2) That investigations continue regarding the allocation of the remainder of the budget with a consideration given to:-
  - (i) road safety measures outside Barling School, Barling
  - (ii) a crossing outside Love Lane School, Rayleigh. (Area Highways)

## **112 EFFECTS OF EXTREME WEATHER ON THE HIGHWAY SERVICE**

The Committee considered the report of the Area Manager, Transportation & Operational Services, Essex County Council which advised Members of the great demands which had placed on the Highway Service due to the several months of exceptionally wet weather which had been experienced.

Members noted that the number of Work Instruction Forms issued during the period October 2000 to February 2001 were 1,622 compared to 283 during the same period in the preceding year.

The current high volume of work together with the fact that the team was operating below strength may mean that the service would suffer for a period of time.

The Area Manager confirmed that gulleys are cleared twice yearly and that particularly susceptible areas would be attended to.

### **Resolved**

That the effect of the extreme weather on the Highways and Transportation services be noted. (Area Highways)

### 113 PAVEMENT PERMISSIONS

The Committee considered the report of the Head of Housing, Health & Community Care which had been requested by the Rayleigh Town Centre Monitoring Panel. It advised Members that the Council already had a licensing system to regulate the placement of objects and structures on the pavement.

Members noted that if large numbers of applications for Permission were received, resources would have to be diverted from higher priority work such as public entertainment licensing, health and safety and food safety.

Members agreed that the issue of 'A' boards be fully discussed in the Rayleigh Town Centre Monitoring Panel. Other Town Centre Working Groups could subsequently consider this issue as appropriate.

#### **Resolved**

That the Rayleigh Town Centre Monitoring Panel debate this issue fully and report back to the Transportation & Environmental Services Committee.  
(HHHCC)

### 114 ROCHFORD TOWN CENTRE ENHANCEMENT SCHEME

The Committee considered the report of the Head of Planning Services which outlined a scheme for the enhancement of the Rochford Market Square and environs.

Members noted that a capital sum of £100,000 had been identified in the budget for enhancement schemes in Rochford Town Centre. The Rochford Town Centre Working Group at its meeting on 29 January 2001 had discussed a design sketch for enhancement of the Market Square. This had been appended to the report, together with a copy of the notes from that meeting.

During Member discussion, the following points were noted:-

- Whilst this scheme dealt only with the Market Square, other issues would not be forgotten in the wider scheme.
- The detailed costs applied to the Market Square and any additions would increase the cost.
- public consultation would be an essential element of the scheme once it had been designed. This could be achieved by holding an exhibition in either the Women's Institute Hall in Rochford or making use of the Mobile Exhibition Unit.
- Additional parking in North Street and East Street should be considered as compensation for any loss in the Market Square.

### Resolved

- (1) That the detailed design of the Rochford Town Centre enhancement scheme be prepared, with the inclusion of additional parking spaces in North Street and East Street.
- (2) That a public consultation exercise be carried out.
- (3) That the outcome of the consultation exercise be reported back to this Committee in due course. (HPS)

### 115 EXPANSION OF RECYCLING SCHEME

The Committee considered the report of the Corporate Director (Finance & External Services) which informed Members of the suggested timetable for the implementation of the extra 3500 households on to the recycling scheme. It also provided Members with a proposal for where these could be located within the District and how they could be allocated.

A decision had been taken at Full Council on 20 February 2001 to expand the current recycling scheme to 5000 households across the District. This would involve adding another 3500 households to the 1500 that were already participating in the recycling trial.

Details of the proposed households for inclusion in the scheme had been appended to the report.

The following Motion was moved by Councillor Mrs J Helson and seconded by Councillor Mrs J M Giles:-

- (1) That the timetable for the expansion of the recycling scheme be agreed as per the report for 2001/2002 and that the remaining properties in the district be brought on line by 2004/5.
- (2) That the location of rounds be as follows:-

Monday - Rayleigh Round 1  
Tuesday - Hullbridge Round 4  
Wednesday - Ashingdon/Hawkwell Round 4  
Friday - Hockley Round 2

On a Requisition pursuant to Standing Order 24(2), a recorded vote was taken on the Motion as follows:-

For (5) Councillors Mrs J M Giles, Mrs H L A Glynn,  
Mrs J Helson, A Hosking, V H Leach.

Against (13) Councillors R Adams, R S Allen, R A Amner, D M Ford,  
Mrs J E Ford, J E Grey, C C Langlands, R A Pearson,

S P Smith, M G B Starke, P D Stebbing, Mrs M J Webster, D A Weir

The Motion was declared lost, although Members agreed to the amended Rayleigh round.

### **Resolved**

- (1) That the timetable for expansion of the recycling scheme be agreed.
- (2) That the location of the collection rounds that would operate the recycling scheme be agreed as detailed in the report, subject to the inclusion of the Monday Rayleigh round 1 in place of the Thursday Rayleigh round 7.

## **116 CIVIC AMENITY SITE**

**(Note:** The following item was admitted as an urgent item of business by the Chairman in view of the fact that an early decision was required regarding the Southend-on-Sea Borough Council's decision to refuse free admittance to the Civic Amenity Sites in the Borough to anyone other than residents of that Authority.)

Following the decision taken at Council on 27 February 2001 (Minute 90/00) that an urgent Member level meeting with representatives from Southend-on-Sea Borough Council and Essex County Council be arranged, the Head of Housing, Health & Community Care reported verbally on the outcome of that meeting. Members congratulated the Head of Service on addressing this matter so promptly.

An early decision on the way forward was required with the approach of the Easter weekend which would be a busy weekend for civic amenity sites.

During Member discussion, the following points were noted:-

- the decision taken by Southend Borough Council would lead to confusion amongst residents and increase the likelihood of fly-tipping.
- Castle Point residents would be more likely to use the site in Castle Road, Rayleigh in preference to paying to use Southend sites.
- the siting of an alternative civic amenity site in the District should be investigated.
- Essex County Council were trying to negotiate with Southend Borough Council to enable continued free access for non-Southend residents in the short term, until a long term solution can be found, but that no agreement had yet been reached.
- Passes allowing free access to the sites in Southend should be issued to every resident of this Council and Castle Point Borough Council and these should be valid until another site was provided within the district. If this is not acceptable to Essex County Council, then some negotiation may be necessary to agree which residents should be issued with passes.

- if a joint pass system were initiated, a three month review period would be beneficial.
- a letter should be sent to the Department of the Environment, Transport and the Regions registering the feelings of this Council.
- Essex County Council had requested assistance from this Council in distributing passes, should they be able to agree a scheme with Southend. The costs were estimated to be £1000 - £2000 dependent on the number of properties involved.

### **Resolved**

- (1) That the Head of Housing, Health & Community Care be authorised to negotiate with the County Council regarding the pass system with the aim of introducing it across the whole of this District.
- (2) That the Council assist with the distribution of passes if requested by Essex County Council. (HHHCC)

## **117 TOWN MAPS FOR ROCHFORD**

The Committee considered the report of the Head of Planning Services which updated Members on the options for the design of the town maps for Rochford. Members had agreed at the meeting of this Committee held on 25 January 2001 that a bid should be made to the Cory Environmental Trust for the provision of two town signs for Rochford.

Two possible options for the noticeboard were appended to the report together with an example of the type of map that would best reflect the character of the historic town. A further appendix detailed a combination of a simple map with some illustrative material.

### **Resolved**

- (1) That an application be submitted to the Cory Environmental Trust for a grant of £7,000 to cover the cost of two town maps.
- (2) That the design of noticeboard detailed at the bottom of Appendix 1 of the report be the preferred one with the type of map detailed on Appendix 2. (HPS)

## **118 ROCHFORD DESIGN & CONSERVATION AWARDS**

The Committee considered the report of the Head of Planning Services which sought a decision on awards for the entries to the Rochford Design & Conservation Awards.

The Design & Conservation Award Scheme was divided into several categories. Details of the scheme and the various categories were appended to the report.

### **Resolved**

That the Rochford Design and Conservation Awards for 2000/2001 be made as indicated in the report. (HPS)

### **119 ORBIT - TRANSPORT SOLUTIONS AROUND LONDON - CONSULTATION**

The Committee considered the report of the Head of Planning Services which sought Members' comments on three possible approaches to long-term solutions to orbital problems around London.

Orbit was a study commissioned by the Government to look at existing and future problems of orbital travel around London and to recommend what could be done to address them.

The report detailed the key points that had arisen from the discussions to date.

### **Resolved**

That progress on the Study be noted. (HPS)

### **120 SOUND INSULATION OF DWELLINGS AGAINST EXTERNAL NOISE**

The Committee considered the report of the Head of Planning Services which outlined the details of a consultation report from the Department of the Environment, Transport and the Regions which sought the Authority's views on the transfer of responsibility for the consideration of external noise from the Planning regime to Building Control.

Currently the protection of dwellings from external noise would be carried out under the Planning System. The Government was proposing to transfer responsibility for sound insulation of the building envelope from the Planning Authority to Building Control. A response to the consultation paper was required by 20 April 2001.

### **Resolved**

That the Department of the Environment, Transport and the Regions be informed that this Council supports the proposed transfer of responsibility for sound insulation of the building envelope from the Planning to the Building Control Authority. (HPS)

### **121 THE FUTURE OF AVIATION - GOVERNMENT CONSULTATION PAPER ON AIR TRANSPORT POLICY**

The Committee considered the report of the Head of Planning Services which sought Members' views on future air transport policy in the United Kingdom. It

primarily focussed on those issues on which the Government would need to take decisions in drawing up an Air Transport White Paper. The Government's intention was to prepare a UK Airports policy which would look ahead 30 years. This consultation paper would be the first step in that process. The deadline for responses on the contents of the paper as 12 April 2001.

A summary of the questions for consultation was appended to the report and a brief commentary on these was provided in the report.

### **Resolved**

That this report forms the basis of a response to the Government consultation paper 'The Future of Aviation'. (HPS)

## **122 CONTAMINATED LAND STRATEGY**

The Committee considered the report of the Head of Housing, Health & Community Care which sought Members approval of the Statutory Contaminated Land Strategy Document.

A copy had been circulated to the Chairman of the Transportation & Environmental Services Committee and the Group Leaders. Additional copies had been placed in the Members' Lounge. Members noted at the meeting of the Transportation & Environmental Services held on 22 June 2000 that local authorities had until June 2001 to publish and adopt their contaminated land strategies.

### **Resolved**

That the Statutory Contaminated Land Strategy be approved and despatched to relevant bodies for consultation as listed within the report. (HHHCC)

## **123 PROPOSED DIVERSION OF PUBLIC FOOTPATH 3, STAMBRIDGE**

The Committee considered the report of the Head of Legal Services which detailed an application which had been received on behalf of the registered proprietor of Stewards Elm Farm, Rochford, for the diversion of Footpath 3, Stambridge. Authority was sought further to Section 119 of the Highways Act 1980 to divert the footpath as shown on the map appended to the report.

### **Resolved**

- (1) That, subject to the registered proprietor of Stewards Elm Farm bearing the cost of any necessary accommodation works and all the Council's expenses recoverable under the Local Government (recovery of costs for Public Path Orders) Regulations 1993 as amended, the proposal to divert footpath 3 to the route A, B, C as indicated on the map appended to this report, be approved.

- (2) That the Head of Legal Services be authorised to take all necessary steps to secure the making and confirmation of a Public Path Diversion Order under the terms of Section 119 of the Highways Act 1980. (HLS)

### **124 PROPOSED DIVERSION OF PUBLIC FOOTPATH 9, HULLBRIDGE**

The Committee considered the report of the Head of Planning Services which detailed an application which had been received from the Environment Agency for the realignment of Footpath 9 as a direct consequence of proposed tidal defence works at Kingsmans Farm Road, Hullbridge. Authority was sought under Section 257 of the Town & Country Planning Act 1990 to divert the footpath as shown on the map appended to the report.

#### **Resolved**

- (1) That, subject to the Environment Agency bearing the cost of any necessary accommodation works and all the Council's expenses recoverable under the Local Government (Recovery of Costs for Public Path Orders) Regulations 1993 as amended, the proposal to divert Footpath 9 to the route ABCD as indicated on the map appended to the report, be approved.
- (2) The Head of Legal Services be authorised to take all necessary steps to secure the making and confirmation of a Public Path Diversion Order under the terms of Section 257 of the Town & Country Planning Act 1990. (HPS)

### **125 PROPOSED DIVERSION OF PUBLIC FOOTPATH 16, STAMBRIDGE**

The Committee considered the report of the Head of Legal Services which detailed an application which had been received from Rankin Farms Limited for the diversion of public footpath No 16 Stambridge. Authority was further sought to Section 119 of the Highways Act 1980 to divert the footpath as shown on the appended map.

#### **Resolved**

- (1) That, subject to Rankin Farms Limited bearing the cost of any necessary accommodation works and all the Council's expenses recoverable under the Local Government (recovery of costs for Public Path Orders) Regulations 199 as amended, the proposal to divert footpath 16 to the route as indicated on the map appended to the report, be approved.
- (2) That the Head of Legal Services be authorised to take all necessary steps to secure the making and confirmation of a Public Path Diversion Order under the terms of Section 119 of the Highways Act 1980. (HLS)

### 126 EXCLUSION OF THE PRESS AND PUBLIC

#### **Resolved**

That the press and public be excluded from the Meeting for the remaining business on the grounds that exempt information as defined in paragraph 7 of Part 1 of the Schedule 12A of the Local Government Act 1972 would be disclosed.

### 127 APPLICATION OF LICENCE TO TRADE IN CAR PARK

The Committee considered the exempt report of the Head of Revenue & Housing Management which considered a request from a mobile caterer to trade from Websters Way Car Park, Rayleigh.

Members noted that, whilst there were no complaints with regard to the tidiness of the site after trading, the Police would not support trading beyond 2330 hours and the constraint was felt to be inappropriate for this particular trader.

On a Motion moved by Councillor Mrs M J Webster, seconded by Councillor P D Stebbing and won on a show of hand, it was:-

#### **Resolved**

- (1) That this request for the grant of a licence be refused.
- (2) That the Head of Legal Services be authorised to take any necessary legal action to prevent the unauthorised operation of a Burger Van from Websters Way Car Park. (HLS)

The meeting closed at 11.10 pm.

Chairman .....

Date .....